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6

Attorneys for Defendant CBS Corporation, a Delaware  
7 corporation, f/k/a Viacom Inc., successor by merger to CBS  
Corporation, a Pennsylvania corporation, f/k/a Westinghouse  
8 Electric Corporation (sued as CBS Corporation, individually,  
successor-in-interest to and formerly known as Viacom, Inc. and  
9 Westinghouse Electric Corporation)

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **OAKLAND DIVISION**

13 ALBERT PIERCE,  
14 Plaintiff,  
15 vs.

16 CBS CORPORATION, etc., et al.,  
17 Defendants.

Case No: C 10-5841 PJH

**STIPULATION AND ORDER RE: CASE  
MANAGEMENT CONFERENCE**

DATE: March 31, 2011  
TIME: 1:00 p.m.  
DEPT: Courtroom 3  
1301 Clay Street, Oakland  
JUDGE: Honorable Phyllis J. Hamilton

Case Filed: October 5, 2010, San Francisco  
County Superior Court Case No. CGC-10-275681

Case Removed to Federal Court: 12/22/10

21  
22 This is an asbestos-related personal injury action that Plaintiff Albert Pierce originally  
23 filed in the State of California in the County of San Francisco on October 5, 2010 (Case No.  
24 CGC-10-275681). On December 22, 2010, defendant Warren Pumps, LLC filed a Notice of  
25 Removal but failed to file a Notice of Tag-Along Action. Plaintiff stipulated to dismissal of  
26 Warren Pumps, LLC on February 2, 2011. On March 15, 2011 defendant General Electric  
27 Company filed a Notice of Tag-Along Action. On January 13, 2001, this Court issued an  
28 Amended Order setting a case management conference for March 31, 2011.

03/17/2011 10:43 FAX 4158440578

POND NORTH LLP

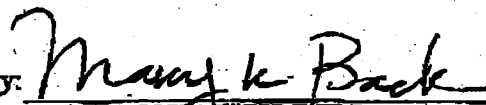
→ KELLER FISHBACK 003

1 On March 17, 2011, the United States Judicial Panel on Multidistrict Litigation issued a  
2 Conditional Transfer Order, which transfers this case to the Eastern District of Pennsylvania, to  
3 be part of the Multidistrict Litigation No. 875 ("MDL 875").

4 Accordingly, all parties to this action stipulate and seek an Order of the Court to vacate  
5 its Order regarding the March 31, 2011 case management conference in light of the recently  
6 issued conditional transfer order (Attached as Exhibit A).

7  
8 DATED: March 17, 2011


POND NORTH LLP

9  
10 By: 

11 MARY KATHERINE BACK  
12 Attorneys for Defendant CBS Corporation, a  
13 Delaware corporation, f/k/a Viacom Inc., successor  
14 by merger to CBS Corporation, a Pennsylvania  
15 corporation, f/k/a Westinghouse Electric Corporation  
(sued as CBS Corporation, individually, successor  
in-interest to and formerly known as Viacom, Inc.  
and Westinghouse Electric Corporation)

16 DATED: March 17, 2011

SEDGWICK, DETERT, MORAN &amp; ARNOLD LLP

17  
18  
19 By:   
20 KATHERINE P. GARDINER  
Attorneys for General Electric Company

21  
22 DATED: March 22, 2011

KELLER, FISHBACK &amp; JACKSON LLP

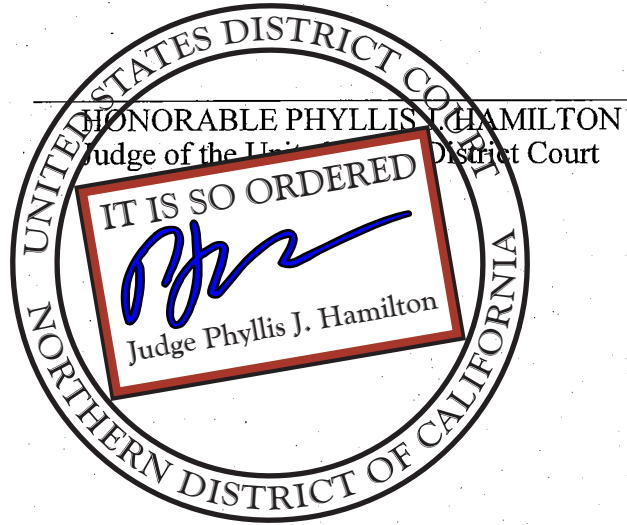
23  
24  
25 By:   
26 STEPHEN M. FISHBACK  
Attorneys for Plaintiff Albert Pierce

**ORDER**

Having read and considered the foregoing joint stipulation of parties, and good cause appearing:

IT IS SO ORDERED:

Dated: March 24, 2011



## **EXHIBIT A**

(MDL No. 875 Conditional Transfer Order (CTO-376) – 2 pages)

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: ASBESTOS PRODUCTS LIABILITY  
LITIGATION (NO. VI)**

MDL No. 875

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO-376)**

On July 29, 1991, the Panel transferred 21,937 civil action(s) to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 771 F.Supp. 415 (J.P.M.L. 1991). Since that time, 85,567 additional action(s) have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Eduardo C Robreno.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Robreno.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Eastern District of Pennsylvania for the reasons stated in the order of July 29, 1991, and, with the consent of that court, assigned to the Honorable Eduardo C Robreno.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", written over a horizontal line.

Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: ASBESTOS PRODUCTS LIABILITY  
LITIGATION (NO. VI)**

MDL No. 875

**SCHEDULE CTO-376 – TAG-ALONG ACTIONS**

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
CALIFORNIA NORTHERN			
CAN	4	10-05841	Pierce v. CBS Corporation et al
WISCONSIN WESTERN			
WIW	3	11-00054	Moss, Jane v. A.W. Chesterton Company et al
WIW	3	11-00055	Behr, Mary v. A.W. Chesterton Company et al
WIW	3	11-00059	Shannon, Bonnie v. CBS Corporation et al
WIW	3	11-00060	Smith, Earl v. Certaineed Corporation et al
WIW	3	11-00061	Budig, Delaine v. Bayer Crop Science, Inc. et al
WIW	3	11-00062	Kane, James v. A.W. Chesterton Company et al
WIW	3	11-00063	Sodini, Donald v. A.W. Chesterton et al
WIW	3	11-00064	Brown, Thomas v. A.W. Chesterton Company et al
WIW	3	11-00065	Streber, Thomas v. A.W. Chesterton Company et al
WIW	3	11-00066	Reising, Francis v. A.W. Chesterton Company et al
WIW	3	11-00074	Anderson, Elizabeth v. A.W. Chesterton, et. al.

**CERTIFICATE OF SERVICE**

***Albert Pierce v. CBS Corporation, et al.***  
**United States District Court, Northern District of California, Oakland Division**  
**Case No. 4:10-cv-05841-PJH**

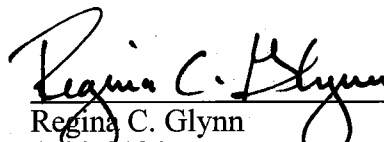
I declare that I am over the age of eighteen (18) and not a party to this action. My business address is 100 Spear Street, Suite 1200, San Francisco CA 94105.

On March 23, 2011, I served the following document(s): **STIPULATION AND ORDER RE: CASE MANAGEMENT CONFERENCE** as follows:

- ☐ I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. I know that the correspondence was deposited with the United States Postal Service on the same day this declaration was executed in the ordinary course of business. I know that the envelope was sealed and, with postage thereon fully prepaid, placed for collection and mailing on this date in the United States mail at, San Francisco, California
- ☐ By overnight Service: I caused the above-referenced document(s) to be deposited in a box or other facility regularly maintained by the overnight courier, or I delivered the above-referenced document(s) to an overnight courier service, for delivery to the above addressee(s).
- ☒ By E-Service: I electronically served the above document(s) via ECF/PACER on all parties opting for e-service.
- ☐ By Personal Service: I caused to be delivered by courier **First Legal Support Services**, such envelope by hand to the offices of the above addressee(s).
- ☐ By Personal Service: I delivered such envelope by hand to the offices of the addressee(s).
- ☐ By Facsimile Machine: The document was transmitted by facsimile transmission to the number(s) indicated and was reported as complete and without error.

Executed: March 23, 2011

- ☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

  
Regina C. Glynn  
4520-3124

**MASTER SERVICE LIST**

***Albert Pierce v. CBS Corporation, et al.***  
**USDC Case No. 4:10-cv-05841-PJH**  
**California Northern District (Oakland)**

**Part A: Parties to be E-Served:**

<b>ATTORNEY NAME &amp; ADDRESS</b>	<b>TELEPHONE/FACSIMILE</b>	<b>REPRESENTING</b>
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<b>Katherine Paige Gardiner</b> Email: Katherine.gardiner@sdma.com <b>Charles Todd Sheldon</b> Email: charles.sheldon@sdma.com <b>Derek S. Johnson</b> Email: Derek.johnson@sdma.com  SEDGWICK DETERT MORAN & ARNOLD LLP One Market Plaza Steuart Tower, 8 <sup>th</sup> Floor San Francisco, CA 94105  ATTORNEYS TO BE NOTICED	T: 415-781-7900 F: 415-781-2635	GENERAL ELECTRIC COMPANY



ATTORNEY NAME & ADDRESS	TELEPHONE/FACSIMILE	REPRESENTING
<p><b>James P. Cunningham</b>  Email: jcunningham@cbmlaw.com  <b>Susanne Gheseri Arani</b>  Email: sarani@linerlaw.com</p> <p>LINER GRODE STEIN, ET AL.  199 Fremont Street, 20<sup>th</sup> Floor  San Francisco, CA 94105</p> <p>ATTORNEYS TO BE NOTICED</p>	<p>T: 415-489-7700  F: 415-489-7701</p>	<p>WARREN  PUMPS, LLC</p>